

REMARKS

Claims 1-17 are pending and stand rejected.

Claims 1-17 have been amended. No new matter has been added.

The examiner has objected to the specification and to the Abstract for containing informalities.

Applicant, through his attorney, wishes to thank the examiner for his observation regarding the informalities in the specification and the Abstract and has made appropriate correction. More specifically, applicant has removed the references to the claims in the Summary and removed the reference to “ditto” in the description of the figures.

Applicant has also requested that the reference to “Fig. 6” be removed from the Abstract.

Having amended the specification to correct the informalities noted, applicant submits that the examiner’s reasons for objecting to the specification have been overcome and the objections can no longer be sustained. Applicant respectfully requests entry of the amendments and withdrawal of the objection.

Claims 1-17 are rejected under 35 USC 103(a) as being unpatentable over Douma (USP no. 5,583,965) in view of Brown (USP no. 6,589,822).

Applicant respectfully disagrees with, and explicitly traverses the reason for the examiners rejection of the claim. A claimed invention is prima facie obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest **all** the claim limitations.

With regard to claim 1, this claim recites:

A method for operating a user-interactive multi-device audio-video system that contains user speech recognizing facilities and echo canceling facilities for avoiding the recognizing of speech output from the system as user speech,

wherein in the presence of a plural and functionally separate ones of said speech recognizing facilities and echo

canceling facilities, driving the echo canceling facilities to combine their forces by one or more thereof for canceling one or more mutually unique cancelable speech entities and combining such cancelled entities for overall non-recognition by the system.

Douma, as read by applicant, discloses a voice recognition system that allows the user to input either voice only material, non-voice material, or a combination of voice and non-voice material. The purpose of the input of the voice and non-voice material is to train the voice recognition system to use the non-voice material provided with the voice material when the voice material is provided at a later time in the voice only mode. Douma allows for a microphone and manual (keyboard) entries to allow a user to “input instruction data to the computer separately from the voice data input.” (see col. 3, lines 19-22). Douma fails to describe any echo-cancellation feature. Rather than echo cancellation, Douma provides for changes in the users voice (“one’s voice changes from day to day. For example, illness or stress can cause one’s voice to change over the course of time.” See, col. 1, lines 33-36) by providing for a non-voice material input substantially concurrently with a voice input. Thus, as the user’s voice changes, the voice recognition system in the computer can be re-trained to accommodate the user’s voice changes. Douma neither teaches nor suggests that the non-voice input is used for echo cancellation.

Brown, as read by applicant, discloses a platform for interactive voice response over the Internet that includes a speech synthesizer, a grammar generator and a speech recognizer. The synthesizer generates speech that characterizes the structure and content of a web page, and the generated speech is delivered to a user via an audio interface device. The speech recognizer is used to interpret voice commands generated by the user. In the case that the user begins speaking prior to the speech synthesizer completing its message, Brown suggests echo cancellation “to remove synthesizer output from the speech recognition input so that speech recognition will be unaffected by the TTS output.” (see col. 6, lines 23-26). However, Brown merely recites a conventional echo cancellation practice, which is well-known in the art. Brown fails to show any echo cancellation means in any of the figures describing the invention or explains how one would implement the echo cancellation to meet the described use. Accordingly, one

would not look to Brown for “driving the echo canceling facilities to combine their forces by one or more thereof for canceling one or more mutually unique cancelable speech entities and combining such cancelled entities for overall non-recognition by the system,” as is recited in the claims, because Brown fails to suggest or disclose such use of an echo-cancellation feature.

“In the matter of obviousness there is a great emphasis placed on ‘the importance of the motivation to combine.’” Yamanouchi Pharmaceutical Co. v. Danbury Pharmacal, Inc. 231 F. 3d. 1339, 56 USPQ2d. 1641, 1644 (Fed. Cir. 2000) quoting In re Rouffet, 149 F.3d 1350, 1357-58, 47 USPQ 2d 1453, 1457 (Fed. Cir. 1998).

Hence, contrary to the examiner’s position, one would not look to the combine the teachings of Douma and Brown as suggested, because Douma fails to teach or suggest echo-cancellation and Brown fails to teach combining echo-cancellation facilities. Applicant respectfully submits that rather than finding a motivation or suggestion to develop the novel features of the present invention in the combination of Douma and Brown, the examiner has inferred such motivation or suggestion after reading the description of the present invention. Thus, applicant believes that the examiner has impermissibly used the teachings of the present invention to find similar elements in the cited references without any motivation in the references to combine the elements contained therein.

Applicant submits that with regard to the above claim, the reason for the examiner’s rejection has been overcome and the rejection can no longer be sustained. Applicant respectfully requests reconsideration, withdrawal of the rejection and allowance of the claim.

Notwithstanding the remarks above, applicant further submits that even if the teachings Douma and Brown were combined as suggested by the examiner, the combined device would not include all the elements claimed; Douma does not consider echo cancellation and Brown fails to suggest “driving the echo canceling facilities to combine their forces.” For this reason also, applicant believes that the examiner’s rejection of the claim has been overcome and can no longer be sustained.

With regard to claim 8, this claim recites a system that implements the method recited in claim 1. As the examiner has rejected this claim citing the same references used in rejecting claim 1, the applicant's remarks made in response to the examiner's rejection of claim 1 are also applicable in response to the examiner's rejection of claim 8. Accordingly, in view of the remarks made with regard to the rejection of claim 1, which are repeated herein in response to the rejection of claim 8, applicant submits that the examiner's reasons for rejecting claim 8 has been overcome and the rejection can no longer be sustained. Applicant respectfully requests reconsideration, withdrawal of the rejection and allowance of the claims.

With regard to claims 2-7 and 9-14, these claims ultimately depend from claims 1 and 8, respectively, which have been shown to be allowable over the cited references. Accordingly, claims 2-7 and 9-14 are also allowable by virtue of their dependency upon an allowable base claim. Applicant respectfully requests reconsideration, withdrawal of the rejection and allowance of these claims.

With regard to claim 15, the examiner has rejected this claim citing the same references as used in rejecting claim 1 and furthermore states that it would have been obvious to include input/output means between speech recognition and echo cancellation facilities "to provide immediate echo cancellation at the device." However, as noted in the remarks made above, the combined teachings of Douma and Brown do not include all the elements claimed in claim 1. Furthermore, as noted by the examiner, neither Douma nor Brown teach speech input/output means. Thus, not only do Douma and Brown fail to include all the elements recited in claim 1, one would not be motivated to combine Douma and Brown and then independently, without motivation provided by either Douma or Brown, include speech input/output means as suggested by the examiner.

Having shown that there is no teaching to combine the references cited, and even if the references were combined, the combined device would not include all the elements claimed, applicant submits that with regard to claim 15, the reason for the examiner's rejection has been overcome and the rejection can no longer be sustained. Applicant

respectfully requests reconsideration, withdrawal of the rejection and allowance of the claim.

With regard to claims 16 and 17, these claims ultimately depend from claim 15, which has been shown to be allowable over the cited references. Accordingly, claims 16 and 17 are also allowable by virtue of their dependency upon an allowable base claim. Applicant respectfully requests reconsideration, withdrawal of the rejection and allowance of the claims.

With regard to the amendments made to claims 1-17 applicant submits that the amendments were made to correct errors in form and not to overcome any of the references cited. Accordingly, the amendments made are not related to the patentability as the substance of the originally filed claims has not been amended.

With regard to the Information Disclosure Statement, applicant submits herewith a new IDS based on the International Search Report dated January 4, 2002, including copies of the US and European Patents recited. Applicant would note that each of the references cited are classified as "A" references, which are "documents defining the general state of the art which is not considered to be of particular relevance."

Having addressed the examiner's objections and rejections under 35 USC §103, applicant submits that for the amendments and remarks made herein the reasons for the examiner's objections and rejections have been overcome and they can no longer be sustained. Applicant respectfully requests reconsideration, withdrawal of the rejections and the issuance of a Notice of Allowance.


Should any unresolved issues remain that the examiner believes may be resolved via a telephone call, the examiner is invited to call applicant's attorney at the telephone number below.

No fees are believed necessary for the filing of this Amendment and Response.

Respectfully submitted,

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